

criteria that the Agency uses to evaluate an application during the review process, Cummins was contacted to determine whether or not information would be provided to operators that would enable them to rebuild the components of the certified kit and the engine rebuild itself. Cummins' representative stated that the information will be made available to authorized facilities only. Transit operators who desire to rebuild in-house have the option of being qualified as an authorized facility by meeting certain requirements through a Cummins review and approval process. Cummins stated that a few of the larger bus operators have obtained this approval already but noted that it may not be feasible for smaller operators who would not have a sufficient number of engines to justify the investment of time and resources necessary to become an authorized facility. Rebuilds that are not performed by an authorized facility would not be covered under the emissions warranties provided by Cummins under this certification.

Based on the Cummins policy, it will be necessary for an operator to perform the initial retrofit/rebuild of this equipment at an authorized Cummins facility. However, the urban bus retrofit/rebuild regulation allows a bus operator to use retrofit/rebuild equipment beyond the 150,000 mile warranty period. Therefore, a bus operator could perform maintenance (including rebuilding certain parts) on retrofit/rebuild equipment beyond the warranty period. Under these circumstances, the transit operator would be responsible for maintaining the equipment in proper operating condition, assumes responsibility for emissions performance, and is subject to the enforcement penalties associated with noncompliance under the retrofit/rebuild program. Cummins would not be responsible for warranty coverage as stated in 40 CFR Sections 85.1409 (a) and (b) for such engines after the expiration of the initial warranty periods.

In addition, it is noted that certification testing is currently underway for other equipment, including aftertreatment devices, that will allow operators to perform engine rebuilds using current rebuild practices. We anticipate that a number of these applications will be presented to EPA for approval in the near future. Certification of these applications should allow operators to maintain their current rebuild procedures.

### III. Certification Approval

The Agency has reviewed this notification, along with comments received from interested parties, and finds that the equipment described in this notification of intent to certify:

(1) Reduces particulate matter exhaust emissions by at least 25 percent, without causing the applicable engine families to exceed other exhaust emissions standards;

(2) Will not cause an unreasonable risk to the public health, welfare, or safety;

(3) Will not result in any additional range of parameter adjustability; and,

(4) Meets other requirements necessary for certification under the Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses (40 CFR Sections 85.1401 through 85.1415).

The Agency hereby certifies this equipment for use in the urban bus retrofit/rebuild program as discussed below in section IV.

### IV. Operator Requirements and Responsibilities

This equipment may be used immediately by urban bus operators who have chosen to comply with either program 1 or program 2, but must be properly applied. Currently, operators having certain engines who have chosen to comply with program 1 must use equipment certified to reduce PM emissions by 25 percent or more when those engines are rebuilt or replaced. Today's Federal Register notice certifies the above-described Cummins equipment as meeting that PM reduction requirement. Equipment that has been certified to reduce PM by 25% or more must be used by operators with applicable engines who have chosen program 1. Urban bus operators who choose to comply with Program 1 may use the certified Cummins equipment until such time as the 0.10 g/bhp-hr standard is triggered for the applicable engines.

Operators who choose to comply with Program 2 and use the Cummins equipment will use the appropriate PM emission level from Table B when calculating their fleet level attained (FLA).

As stated in the program regulations (40 CFR 85.1401 through 85.1415), operators should maintain records for each engine in their fleet to demonstrate that they are in compliance with the requirements beginning in January 1, 1995. These records include purchase records, receipts, and part numbers for the parts and components used in the rebuilding of urban bus engines.

Dated: November 14, 1995.

Mary D. Nichols,

*Assistant Administrator for Air and Radiation.*

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[FRL-5344-7]

### **Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses; Public Review of a Notification of Intent to Certify Equipment**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of agency receipt of a notification of intent to certify equipment and initiation of 45 day public review and comment period.

**SUMMARY:** The Agency has received a notification of intent to certify urban bus retrofit/rebuild equipment pursuant to 40 CFR Part 85, Subpart O. Pursuant to § 85.1407(a)(7), today's Federal Register notice summarizes the notification below, announces that the notification is available for public review and comment, and initiates a 45-day period during which comments can be submitted. The Agency will review this notification of intent to certify, as well as comments received, to determine whether the equipment described in the notification of intent to certify should be certified. If certified, the equipment can be used by urban bus operators to reduce the particulate matter of urban bus engines.

The Johnson Matthey, Inc. (JMI) notification of intent to certify, as well as other materials specifically relevant to it, are contained in category XI-A of Public Docket A-93-42, entitled "Certification of Urban Bus Retrofit/Rebuild Equipment". This docket is located at the address below.

Today's notice initiates a 45 day period during which the Agency will accept written comments relevant to whether or not the equipment included in this notification of intent to certify should be certified. Comments should be provided in writing to Public Docket A-93-42, Category XI-A, at the address below. An identical copy should be submitted to Anthony Erb, also at the address below.

**DATES:** Comments must be submitted on or before January 29, 1996.

**ADDRESSES:** Submit separate copies of comments to each of the two following addresses:

1. U.S. Environmental Protection Agency, Public Docket A-93-42 (Category XI-A), Room M-1500, 401 M Street S.W., Washington, DC 20460.

2. Anthony Erb, Engine Compliance Programs Group, Engine Programs and Compliance Division (6405J), 401 "M" Street S.W., Washington, DC 20460.

The JMI notification of intent to certify, as well as other materials specifically relevant to it, are contained in the public docket indicated above. Docket items may be inspected from 8:00 a.m. until 5:30 p.m., Monday through Friday. As provided in 40 CFR Part 2, a reasonable fee may be charged by the Agency for copying docket materials.

**FOR FURTHER INFORMATION CONTACT:**  
Anthony Erb, Engine Compliance and Programs Division (6405J), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, DC 20460. Telephone: (202) 233-9259.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On April 21, 1993, the Agency published final Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses (58 FR 21359). The retrofit/rebuild program is intended to reduce the ambient levels of particulate matter (PM) in urban areas and is limited to 1993 and earlier model year (MY) urban buses operating in metropolitan areas with 1980 populations of 750,000 or more, whose engines are rebuilt or replaced after January 1, 1995. Operators of the affected buses are required to choose

between two compliance options: Program 1 sets particulate matter emissions requirements for each urban bus engine in an operator's fleet which is rebuilt or replaced; Program 2 is a fleet averaging program that establishes specific annual target levels for average PM emissions from urban buses in an operator's fleet.

A key aspect of the program is the certification of retrofit/rebuild equipment. To meet either of the two compliance options, operators of the affected buses must use equipment which has been certified by the Agency. Emissions requirements under either of the two compliance options depend on the availability of retrofit/rebuild equipment certified for each engine model. To be used for Program 1, equipment must be certified as meeting a 0.10 g/bhp-hr PM standard or as achieving a 25 percent reduction in PM. Equipment used for Program 2 must be certified as providing some level of PM reduction that would in turn be claimed by urban bus operators when calculating their average fleet PM levels attained under the program. For Program 1, information on life cycle costs must be submitted in the notification of intent to certify in order for certification of the equipment to initiate (or trigger) program requirements. To trigger program requirements, the certifier must guarantee that the equipment will be available to all affected operators for a life cycle cost of \$7,940 or less at the 0.10 g/bhp-hr PM level, or for a life

cycle cost of \$2,000 or less for the 25 percent or greater reduction in PM. Both of these values are based on 1992 dollars.

**II. Notification Of Intent To Certify**

By a notification of intent to certify signed September 6, 1995, Johnson Matthey, Inc. (JMI) has applied for certification of equipment applicable to all Detroit Diesel Corporation (DDC) two-cycle engines originally equipped in an urban bus from model year 1979 to model year 1993, exclusive of the DDC 6L71TA 1990 model year engines (see Table A). The notification of intent to certify states that the equipment being certified is a catalytic exhaust muffler (CEM). The CEM contains an oxidation catalyst developed specifically for diesel applications, packaged as a direct replacement for the muffler. The application states that the candidate equipment provides a 25 percent or greater reduction in emissions of particulate matter (PM) for petroleum fueled diesel engines relative to an original engine configuration with no after treatment installed. The engines may either be rebuilt to original specifications, or not rebuilt but able to meet specified engine calibrations. A 25 percent reduction is also claimed for engines that have been retrofit/rebuilt with certified new rebuild kits that do not include after treatment devices. The latter would apply to the DDC retrofit/rebuild kit which was certified on October 2, 1995 (60 FR 51472).

TABLE A.—CERTIFICATION LEVELS

Engine Models	Model Year	PM Level <sup>1</sup> with CEM	Code	Family
6V92TA ..... MUI	1979–87 .....	0.38	All .....	All.
	1988–1989 .....	0.23	All .....	All.
6V92TA ..... DDEC I	1986–89 .....	0.23	All .....	All
6V92TA ..... DDEC II	1988–91 .....	0.23	All .....	All.
	1992–93 .....	0.19	All .....	All.
6V71N .....	1973–87 .....	0.38	All .....	All.
6V71N .....	1988–89 .....	0.38	All .....	All.
6V71T .....	1985–86 .....	0.38	All .....	All.
8V71N .....	1973–84 .....	0.38	All .....	All.
6L71TA .....	1988–89 .....	0.23	All .....	All.
6LV71TA ..... DDEC	1990–91 .....	0.23	All .....	All.
8V92TA .....	1979–87 .....	0.40	All .....	8V92TA
	1988 .....	0.29	All .....	8V92TA
8V92TA–DD .....	1988 .....	0.31	ALL .....	8V92TA– DDEC II
8V92TA .....	1989 .....	0.35	9E70 .....	KDD0736FW8 9
8V92TA .....	1989 .....	0.29	9A90 .....	KDD0736FW8 9
8V92TA .....	1989 .....	0.26	9G85 .....	KDD0736FW8 9

TABLE A.—CERTIFICATION LEVELS—Continued

Engine Models	Model Year	PM Level <sup>1</sup> with CEM	Code	Family
8V92TA ..... DDEC	1989 .....	0.31	1A .....	KDD0736FZH 4
8V92TA .....	1990 .....	0.35	9E70 .....	LDD0736FAH 9
8V92TA ..... DDEC	1990 .....	0.37	1A .....	LDD0736FZH 3
8V92TA ..... DDEC	1991 .....	0.19	1A or 5A .....	MDD0736FZH 2
8V92TA ..... DDEC	1992–93 .....	0.16	1D .....	NDD0736FZH 1 & PDD0736FZH X
8V92TA ..... DDEC	1992–93 .....	0.22	6A .....	NDD0736FZH 1 & PDD0736FZH X
8V92TA ..... DDEC	1992–93 .....	0.15	5A .....	NDD0736FZH 1 & PDD0736FZH X
8V92TA ..... DDEC	1992–93 .....	0.19	1A .....	NDD0736FZH 1 & PDD0736FZH X

<sup>1</sup> The original PM certification levels for the 1991 6V92TA DDEC II, 6LV71TA DDEC and 8V92TA DDEC engine models are based on Federal Emission Limits (FELs) under the averaging, banking and trading program. These limits are higher than the 1991 PM standard of 0.25 g/bhp-hr. The PM level listed in this table for the engines that are equipped with the CEM provide at least a 25% reduction from the original certification levels. The 1992 to 1993 6V92TA DDEC II and 8V92TA DDEC engine models were also certified using FELs under the trading and banking program and likewise the PM levels for the engines equipped with the CEM represent at least a 25% reduction from the original certification levels.

Transit pricing level data has been submitted with the notification, along with a guarantee that the equipment will be offered to all affected operators for less than the incremental life cycle cost ceiling of \$2,000 in 1992 dollars. JMI indicates that the maximum cost in 1995 dollars will not exceed \$2,173.00. Equipment cost is listed to be \$1,926.00 and installation costs are not to exceed \$247.00 (6.5 hours of labor time maximum). JMI states that there is no fuel economy impact, and that no incremental maintenance will be necessary due to this equipment. Therefore, this equipment may qualify as a trigger for program requirements for the 25% reduction standard. However, it is noted that designation as a trigger is not necessary in this case as trigger technology is already certified for the 25% reduction standard for every engine model for which this technology would be certified. However, in the future this technology may lower the target PM level for bus operators under Program 2 for particular engine models, if the PM level for this technology is lower than the PM certification level for any other certified technology.

JMI presents data from testing the equipment on a 2-stroke 1986 model year DDC 6V92TA engine documenting PM emissions reduction under two different scenarios. In applications

involving aftertreatment devices, the use of a “worst case” engine during testing allows the certifier to extrapolate the results to engines known to have engine out PM levels that are equal to or less than the test engine. Based on a pre-rebuild PM level for the 6V92TA of 0.50, from the table in 40 CFR section 85.1403(c)(1)(iii)(A), the 6V92TA qualifies as a “worst case” for all two-stroke/cycle engines with the exception of the 1990 DDC 6L71TA.

In the first test sequence, the baseline test was performed on the engine prior to rebuild. Then the catalytic converter was added to the exhaust system and another test was performed. The results are presented in Table B. When the results of the two tests are compared, the test on the engine that was equipped with the catalytic converter shows a 50% decrease in PM emissions compared to the baseline engine. This test also shows that hydrocarbon (HC), carbon monoxide (CO), and oxides of nitrogen (NO<sub>x</sub>) emissions are within the applicable emission standards.

TABLE B.—CERTIFICATION EMISSION TEST RESULTS  
[Pre-Rebuild Composite Test Results (g/bhp-hr)]

	Baseline engine	Engine with CEM	Percent reduction
PM .....	0.44	0.22	50
HC .....	0.7	0.4	43
CO .....	1.0	0.6	40
NO <sub>x</sub> .....	10.5	10.2	3
Smoke:			
Accel (per-cent) .....	2	1	
Lug (per-cent) .....	1	1	
Peak (per-cent) .....	4	3	

In the second test sequence, the baseline test was performed on the engine after rebuild. Then, as in the first test sequence, the catalytic converter was added and a comparison test was performed. The results are presented in Table C. When the results of these tests are compared, the test on the engine with the catalytic converter installed shows a 38% reduction in PM emissions when compared with the test results for the baseline engine. The HC, CO, and NO<sub>x</sub> emissions for this test are within the applicable emission standards.

JMI also provided smoke emission measurements for the engine in the

rebuilt condition with the catalytic converter installed. These measurements indicate that the engine complies with the applicable smoke standards.

TABLE C.—CERTIFICATION EMISSION TEST RESULTS

[Post-Rebuild Composite Test Results (g/bhp-hr)]

	Baseline engine	Engine with CEM	Percent reduction
PM .....	0.13	0.08	38
HC .....	0.6	0.3	50
CO .....	0.7	0.4	43
NO <sub>x</sub> .....	9.7	9.4	3
Smoke:			
Accel (per-cent) .....	1	1	
Lug (per-cent) .....	1	1	
Peak (per-cent) .....	6	5	

The information submitted by JMI shows that this equipment achieves a 25% or greater reduction in PM emissions and will be sold for less than the cost ceiling of \$2,000 (1992 dollars). If EPA approves the request for certification of this equipment, urban bus operators will be required to use this equipment or other equipment that is already certified to provide 25% or greater equivalent reductions to comply with Program 1 of this regulation beginning December 1, 1995. This requirement will continue unless other equipment which reduces PM emissions to 0.10 g/bhp-hr is certified at or below the \$7,940 life cycle cost ceiling.

If EPA approves JMI's certification request, urban bus operators who chose to comply under Option 2 of this regulation may also use this equipment. If certification is approved by EPA, the emission levels of the JMI equipment may be used to modify the Option 2 post rebuild levels in July 1996, unless other rebuild kits with life cycle costs below the life-cycle cost ceiling and lower PM emission levels are certified before July 1996.

At a minimum, EPA expects to evaluate this notification of intent to certify, and other materials submitted as applicable, to determine whether there is adequate demonstration of compliance with: (1) The certification requirements of § 85.1406, including whether the testing accurately substantiates the claimed emission reduction or emission levels; and, (2) the requirements of § 85.1407 for a notification of intent to certify, including whether the data provided by

JMI complies with the life cycle cost requirements.

The Agency requests that those commenting also consider these regulatory requirements, plus provide comments on any experience or knowledge concerning: (a) Problems with installing, maintaining, and/or using the candidate equipment on applicable engines; and, (b) whether the equipment is compatible with affected vehicles.

The date of this notice initiates a 45 day period during which the Agency will accept written comments relevant to whether or not the equipment described in the JMI notification of intent to certify should be certified pursuant to the urban bus retrofit/rebuild regulations. Interested parties are encouraged to review the notification of intent to certify and provide comment during the 45 day period. Please send separate copies of your comments to each of the above two addresses.

The Agency will review this notification of intent to certify, along with comments received from interested parties, and attempt to resolve or clarify issues as necessary. During the review process, the Agency may add additional documents to the docket as a result of the review process. These documents will also be available for public review and comment within the 45 day period.

Dated: December 1, 1995.

Mary D. Nichols,  
Assistant Administrator for Air and Radiation.

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#### [FRL-5344-6]

#### Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses; Public Review of a Notification of Intent To Certify Equipment

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of agency receipt of a notification of intent to certify equipment and initiation of 45-day public review and comment period.

**SUMMARY:** Twin Rivers Technologies' (TRT) has submitted to the Agency a notification of intent to certify urban bus retrofit/rebuild equipment pursuant to 40 CFR Part 85, Subpart O. The notification describes equipment consisting of biodiesel fuel additive in combination with a particular exhaust system catalyst. Pursuant to § 85.1407(a)(7), today's Federal Register notice summarizes the notification,

announces that the notification is available for public review and comment, and initiates a 45-day period during which comments can be submitted. The Agency will review this notification of intent to certify, as well as any comments it receives, to determine whether the equipment described in the notification of intent to certify should be certified. If certified, the equipment can be used by urban bus operators to reduce the particulate matter of urban bus engines.

The notification of intent to certify, as well as other materials specifically relevant to it, are contained in category X of Public Docket A-93-42, entitled "Certification of Urban Bus Retrofit/Rebuild Equipment". This docket is located at the address listed below.

Today's notice initiates a 45-day period during which the Agency will accept written comments relevant to whether or not the equipment included in this notification of intent to certify should be certified. Comments should be provided in writing to Public Docket A-93-42, Category X, at the address below, and an identical copy should be submitted to William Rutledge, also at the address below.

**DATES:** Comments must be submitted on or before January 29, 1996.

**ADDRESSES:** Submit identical copies of comments to each of the two following addresses: 1. U.S. Environmental Protection Agency, Public Docket A-93-42 (Category X), Room M-1500, 401 M Street S.W., Washington, DC 20460.

2. William Rutledge, Engine Compliance Group, Engine Programs and Compliance Division (6403J), 401 "M" Street S.W., Washington, DC 20460.

The TRT notification of intent to certify, as well as other materials specifically relevant to it, are contained in the public docket indicated above. Docket items may be inspected from 8:00 a.m. until 5:30 p.m., Monday through Friday. As provided in 40 CFR Part 2, a reasonable fee may be charged by the Agency for copying docket materials.

**FOR FURTHER INFORMATION CONTACT:** William Rutledge, Engine Programs and Compliance Division (6403J), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, DC 20460. Telephone: (202) 233-9297.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On April 21, 1993, the Agency published final Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses (58 FR 21359). The retrofit/rebuild program is intended